



November 29, 2022

**VIA CM/ECF ELECTRONIC FILING**  
Honorable Magistrate Judge Sarah L. Cave  
United States District Court for the SDNY  
500 Pearl Street, Courtroom 18A  
New York, NY 10007

Plaintiff's letter-motion seeking to withdraw its motion to enforce judgment and direct turnover of funds from signature bank without prejudice (the "Motion") (ECF No. 75) is GRANTED, and the Motion is WITHDRAWN WITHOUT PREJUDICE.

The Clerk of Court is respectfully directed to close ECF No. 70.

SO ORDERED 11/30/22

  
SARAH L. CAVE  
United States Magistrate Judge

Re: *Bank of America, N.A. v. City View Blinds of N.Y., Inc., et al.*  
Case No. 20-cv-9911 (SLC)/Request to Withdraw Motion without prejudice

Dear Judge Cave:

My firm is counsel to the Plaintiff Bank of America, N.A. (the "**Plaintiff**"). On June 13, 2022, the Court entered an Amended Judgment in favor of the Plaintiff and against the defendants (the "**Judgment**") [ECF, Doc. 58].

On November 10, 2022, a Motion to Enforce Judgment and Direct Turnover of Funds was filed on behalf of the Plaintiff against the defendants and certain respondents not parties to the underlying action (the "**Motion**") [ECF, Docs. 70-72]. After the Clerk's office advised that it would not issue Summons against the respondents who were not parties to the action, the Plaintiff commenced a Petition for Turnover as a separate action, entitled *Bank of America, N.A. v. City View Blinds of N.Y. Inc., et al.* under Case No. 22-cv-9871 (the "**Turnover Proceeding**").

Based on the filing of the Turnover Proceeding, which seeks the same relief, the Plaintiff respectfully requests that the Motion be withdrawn without prejudice.

We apologize for any inconvenience to the Court and thank the Court for its attention to this matter.

Respectfully submitted,

/s/Michael Adam Samuels  
Michael Adam Samuels

Enclosure  
cc: Jeffrey D. Buss, Esq. (via ECF and email)

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